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Kim Adamson and Russelle Donnelly*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MANUEL D. ORELLANA,

Plaintiff,

v.

DR. ROMEO ARANAS, et al.,

Defendants

Case No. 3:20-cv-00041-MMD-CLB

**MOTION FOR EXTENSION OF
TIME TO FILE MOTION FOR
SUMMARY JUDGMENT**

Defendants Kim Adamson and Russelle Donnelly, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Kayla D. Dorame, Deputy Attorney General, hereby move this Court for an extension of time to file a Motion for Summary Judgment. This Motion is made and based upon Federal Rule of Civil Procedure 6(b)(1)(A) and LR 26-3.

MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTUAL ANALYSIS

This is an inmate civil rights action brought by Plaintiff Manuel D. Orellana (Orellana) pursuant to 42 U.S.C. § 1983. On November 2, 2021, the Court entered a scheduling order. (ECF No. 33.) The scheduling order stated a discovery deadline of May 2, 2022 and a dispositive motions deadline of June 1, 2022. (*Id.* at 6.)

II. ARGUMENT

Defense counsel respectfully requests a forty-five (45) day extension of time to file Defendants' dispositive motions from the current deadline of **June 1, 2022** until **July**

18, 2022.¹ Defendants provide the following information in accordance with Local Rule 26-3.

A. Discovery Completed

- Defendants' Initial Disclosures
- Plaintiff's Interrogatories [Set One]- Defendant Adamson

B. Discovery that Remains to be Completed

Discovery is closed and no additional discovery is needed in this matter.

C. Reasons why the Deadlines Were not Satisfied

Defendants respectfully request a forty-five (45) day extension to file their dispositive motion. Defense counsel is in the process of gathering declarations from the institution in which the inmate is housed. Since the institution needs to review Mr. Orellana's medical records, this will take additional time to draft a timeline necessary to understand the medical records that will be produced.

Dispositive motion deadline: June 1, 2022

Joint pretrial order (if no dispositive motions filed): July 1, 2022

D. Proposed Deadlines

Dispositive motion deadline: July 18, 2022

Joint pretrial order (if no dispositive motions filed): August 17, 2022

E. Good Cause Supports this Request

Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

This Court should find good cause supports this request. When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

Defendants' request is timely and will not hinder or prejudice Orellana's case. Allowing additional time will allow the parties to have a clearer understanding of the

¹ Since the 16th day falls on Saturday, July 16, 2022, the dates have been adjusted accordingly.

evidentiary record. The requested extension should permit the Defendants to file a well-researched and proper dispositive motion in this case.

III. CONCLUSION

Defendants request this Court extend the deadline for dispositive motions in this matter. Defendants assert that the requisite good cause is present to warrant the requested extension of time. The request is timely. Therefore, the Defendants request additional time, up until **July 18, 2022**, to file a dispositive motion in this matter.

DATED this 31st day of May, 2022.


AARON D. FORD
Attorney General

By: /s/ Kayla D. Dorame
KAYLA D. DORAME, Bar No. 15533
Deputy Attorney General

Attorneys for Defendants

IT IS SO ORDERED.

Dated: June 1, 2022


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada and that on this 31st day of May, 2022, I caused a copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT**, to be served, by U.S. District Court CM/ECF Electronic Filing on the following:

Manuel D. Orellana, #1007054
Care of LCC Law Librarian
Lovelock Correctional Center
1200 Prison Road
Lovelock, Nevada 89419
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/s/ Roberta W. Bibee

An employee of the
Office of the Attorney General